



California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman



Linda S. Adams
*Secretary for Environmental
Protection*

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**Arnold
Schwarzenegger**
Governor

**REVISED NOTICE OF PUBLIC HEARING
AND
NOTICE OF FILING**

**Subject: Draft Basin Plan Amendment to Establish Exception Criteria to the Point
Source Waste Discharge Prohibitions by Revising the Action Plan for Storm Water
Discharges and
Adding a New Action Plan for Low Threat Discharges**

Regional Water Board Public Hearing: July 23, 2009
(see agenda within 10 days of hearing for tentative time)

Hearing Location:
**Regional Water Board Hearing Room, 5550 Skylane Blvd., Suite A, Santa Rosa, CA
95403**

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) is proposing to update the Water Quality Control Plan for the North Coast Region (Basin Plan). Regional Water Board staff have released for review by the Regional Water Board, interested public and Federal, State and local agencies a proposed amendment entitled "Basin Plan Amendment to Establish Exception Criteria to the Point Source Waste Discharge Prohibitions by Revising the Action Plan for Storm Water Discharges and Adding a New Action Plan for Low Threat Discharges" (hereinafter referred to as "proposed Amendment"). A substitute environmental document analyzing the potential environmental impacts of the proposed Amendment was prepared pursuant to statutes and regulations governing the State Water Resources Control Board's regulatory

programs that are certified by the Secretary of the California Resources Agency, in accordance with subdivision (c) of Public Resources Code section 21080.5, as meeting certain environmental standards, and therefore being exempt from the requirements of the California Environmental Quality Act to prepare an environmental impact report, negative declaration or initial study.

At the direction of the Regional Water Board, staff has developed the proposed Amendment to provide exception criteria to the point source waste discharge prohibitions contained in the Basin Plan. The environmental analysis prepared by the Regional Water Board staff has not identified any adverse significant impacts associated with the proposed Amendment that cannot be mitigated to levels of insignificance.

California Environmental Protection Agency

The public comment period on the proposed Amendment and the analysis of the potential environmental impacts of the proposed Amendment was open from November 20, 2008 until January 29, 2009. As noted in the prior hearing notice, written material received after that date will not be accepted, except at the discretion of the Regional Water Board Chair.

The Regional Water Board plans to consider adoption of the proposed Amendment and its supporting documents, including the substitute environmental document, at its regularly scheduled public meeting on July 23, 2009.

BACKGROUND

The proposed Amendment would apply only to permitted discharges from specific types of activities where there is a minimal potential (or low threat) for adverse impacts to water quality to occur from the discharge. The proposed Amendment also sets specific criteria for permitting low threat discharges.

The purpose of this proposed Amendment is to address the existing conflict between conditions in regional and statewide point source waste discharge permits and the existing point source waste discharge prohibitions in the Basin Plan. Some regional and statewide permits allow year-round point source discharges while the Basin Plan limits point source waste discharges to surface waters to the period of October 1 through May 14 in the Eel, Mad and Russian Rivers and their tributaries, and prohibits all point source waste

discharges to surface waters in all other watersheds within the North Coast Region. Where the discharge period is limited to October 1 through May 14, discharges during this period are limited to less than one percent of the receiving stream's flow (referred to as the "one-percent prohibition").

To address this conflict between year-round discharges allowed in regional and statewide permits and the point source and one-percent discharge prohibitions in the Basin Plan, Regional Water Board staff will recommend that the Regional Water Board consider adoption of the proposed Amendment, which will provide criteria under which exceptions to the point source and one-percent prohibitions would be provided. The proposed Amendment consists of 1) a new "Action Plan for Low Threat Discharges" and 2) modifications to the existing Action Plan for Storm Water Discharges.

GENERAL INFORMATION

The proposed Draft Staff Report, including the draft Amendment, is available to download from the Regional Water Board's website. The website can be accessed at:

http://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/low_threat_discharges.shtml

Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 5550 Skylane Blvd., Suite A, Santa Rosa, California 95403 weekdays between 8:00 a.m. and 5:00 p.m. or calling 707-576-2220. Interested parties who would like to receive email notifications for various North Coast Regional Water

Board issues including the proposed Amendment can sign up on the Email List Subscription Form located at: http://www.waterboards.ca.gov/resources/email_subscriptions/reg1_subscribe.shtml

Questions regarding the proposed Amendment should be submitted to: LClyde@waterboards.ca.gov or by phone at 707 576-2674

PUBLIC HEARING PROCEDURES

Public participation is an important part of the basin planning process. All comments previously submitted in writing during the public comment period which was open from November 20, 2008 to January 29, 2009, and oral comments made at the Public Workshop on January 8, 2009, will become part of the public record. All the comments will be considered by the Regional Water Board as part of their decision making process. Changes to the proposed amendment consistent with the general purpose of the amendment may be considered by the Board during the hearing. Testimony at the above-scheduled hearing may summarize or explain timely submitted or late-accepted written evidence, but shall not add new evidence.

Depending on the number of people wishing to speak at the hearing, the Regional Water Board Chair may set time constraints for oral testimony or comments. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

ACCESSIBILITY

Anyone requiring reasonable accommodation to participate in the hearing should contact Jean Lockett, Executive Assistant, at (707) 576-2307, at least five days prior to the scheduled Board Meeting. The hearing location is accessible to persons with disabilities. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Catherine Kuhlman
Executive Officer

June 2, 2009

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